

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 148**

**Representative Dell'Aquila**

**Cosponsors: Representatives Galonski, Troy, Upchurch, Forhan, McNally,  
Abdullahi, Brennan**

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**A BILL**

To amend sections 2905.05 and 2950.01 of the 1  
Revised Code to require that a person act with a 2  
sexual motivation to commit the offense of 3  
criminal child enticement. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2905.05 and 2950.01 of the 5  
Revised Code be amended to read as follows: 6

**Sec. 2905.05.** (A) No person, by any means and without 7  
privilege to do so, and with a sexual motivation, shall 8  
knowingly solicit, coax, entice, or lure any child under 9  
fourteen years of age to accompany the person in any manner, 10  
including entering into any vehicle or onto any vessel, whether 11  
or not the offender knows the age of the child, ~~if both of the~~ 12  
~~following apply:~~ 13

~~(1) The actor does not have the express or implied 14  
permission of the parent, guardian, or other legal custodian of 15  
the child in undertaking the activity. 16~~

~~(2) The actor is not a law enforcement officer, medic, 17~~

~~firefighter, or other person who regularly provides emergency services, and is not an employee or agent of, or a volunteer acting under the direction of, any board of education, or the actor is any of such persons, but, at the time the actor undertakes the activity, the actor is not acting within the scope of the actor's lawful duties in that capacity.~~

~~(B) No person, with a sexual motivation, shall violate division (A) of this section.~~

~~(C) No person, for any unlawful purpose other than, or in addition to, that proscribed by division (A) of this section, shall engage in any activity described in division (A) of this section.~~

~~(D) It is an affirmative defense to a charge under division (A) of this section that the actor undertook the activity in response to a bona fide emergency situation or that the actor undertook the activity in a reasonable belief that it was necessary to preserve the health, safety, or welfare of the child.~~

~~(E) (C) Whoever violates division (A), or (B), or (C) of this section is guilty of criminal child enticement, a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section, section 2907.02 or 2907.03 or former section 2907.12 of the Revised Code, or section 2905.01 or 2907.05 of the Revised Code when the victim of that prior offense was under seventeen years of age at the time of the offense, criminal child enticement is a felony of the fifth degree.~~

~~(F) (D) As used in this section:~~

(1) "Sexual motivation" has the same meaning as in section

2971.01 of the Revised Code.	47
(2) "Vehicle" has the same meaning as in section 4501.01 of the Revised Code.	48 49
(3) "Vessel" has the same meaning as in section 1546.01 of the Revised Code.	50 51
<b>Sec. 2950.01.</b> As used in this chapter, unless the context clearly requires otherwise:	52 53
(A) "Sexually oriented offense" means any of the following violations or offenses committed by a person, regardless of the person's age:	54 55 56
(1) A violation of section 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 2907.322, or 2907.323 of the Revised Code;	57 58 59
(2) A violation of section 2907.04 of the Revised Code when the offender is less than four years older than the other person with whom the offender engaged in sexual conduct, the other person did not consent to the sexual conduct, and the offender previously has not been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised Code;	60 61 62 63 64 65 66 67
(3) A violation of section 2907.04 of the Revised Code when the offender is at least four years older than the other person with whom the offender engaged in sexual conduct or when the offender is less than four years older than the other person with whom the offender engaged in sexual conduct and the offender previously has been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised	68 69 70 71 72 73 74 75

Code;	76
(4) A violation of section 2903.01, 2903.02, or 2903.11 of the Revised Code when the violation was committed with a sexual motivation;	77 78 79
(5) A violation of division (A) of section 2903.04 of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation;	80 81 82 83
(6) A violation of division (A) (3) of section 2903.211 of the Revised Code;	84 85
(7) A violation of division (A) (1), (2), (3), or (5) of section 2905.01 of the Revised Code when the offense is committed with a sexual motivation;	86 87 88
(8) A violation of division (A) (4) of section 2905.01 of the Revised Code;	89 90
(9) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;	91 92 93 94
(10) A violation of division (B) of section 2903.03, of division (B) of section 2905.02, of division (B) of section 2905.03, of division <del>(B)</del> <u>(A)</u> of section 2905.05, or of division (B) (5) of section 2919.22 of the Revised Code;	95 96 97 98
(11) A violation of section 2905.32 of the Revised Code when either of the following applies:	99 100
(a) The violation is a violation of division (A) (1) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or	101 102 103

maintained, or knowingly attempted to recruit, lure, entice, 104  
isolate, harbor, transport, provide, obtain, or maintain, 105  
another person knowing that the person would be compelled to 106  
engage in sexual activity for hire, engage in a performance that 107  
was obscene, sexually oriented, or nudity oriented, or be a 108  
model or participant in the production of material that was 109  
obscene, sexually oriented, or nudity oriented. 110

(b) The violation is a violation of division (A) (2) of 111  
that section and the offender knowingly recruited, lured, 112  
enticed, isolated, harbored, transported, provided, obtained, or 113  
maintained, or knowingly attempted to recruit, lure, entice, 114  
isolate, harbor, transport, provide, obtain, or maintain a 115  
person who is less than eighteen years of age or is a person 116  
with a developmental disability whom the offender knows or has 117  
reasonable cause to believe is a person with a developmental 118  
disability for any purpose listed in divisions (A) (2) (a) to (c) 119  
of that section. 120

(12) A violation of division (B) (4) of section 2907.09 of 121  
the Revised Code if the sentencing court classifies the offender 122  
as a tier I sex offender/child-victim offender relative to that 123  
offense pursuant to division (D) of that section; 124

(13) A violation of any former law of this state, any 125  
existing or former municipal ordinance or law of another state 126  
or the United States, any existing or former law applicable in a 127  
military court or in an Indian tribal court, or any existing or 128  
former law of any nation other than the United States that is or 129  
was substantially equivalent to any offense listed in division 130  
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or 131  
(12) of this section; 132

(14) Any attempt to commit, conspiracy to commit, or 133

complicity in committing any offense listed in division (A) (1), 134  
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 135  
(13) of this section. 136

(B) (1) "Sex offender" means, subject to division (B) (2) of 137  
this section, a person who is convicted of, pleads guilty to, 138  
has been convicted of, has pleaded guilty to, is adjudicated a 139  
delinquent child for committing, or has been adjudicated a 140  
delinquent child for committing any sexually oriented offense. 141

(2) "Sex offender" does not include a person who is 142  
convicted of, pleads guilty to, has been convicted of, has 143  
pleaded guilty to, is adjudicated a delinquent child for 144  
committing, or has been adjudicated a delinquent child for 145  
committing a sexually oriented offense if the offense involves 146  
consensual sexual conduct or consensual sexual contact and 147  
either of the following applies: 148

(a) The victim of the sexually oriented offense was 149  
eighteen years of age or older and at the time of the sexually 150  
oriented offense was not under the custodial authority of the 151  
person who is convicted of, pleads guilty to, has been convicted 152  
of, has pleaded guilty to, is adjudicated a delinquent child for 153  
committing, or has been adjudicated a delinquent child for 154  
committing the sexually oriented offense. 155

(b) The victim of the offense was thirteen years of age or 156  
older, and the person who is convicted of, pleads guilty to, has 157  
been convicted of, has pleaded guilty to, is adjudicated a 158  
delinquent child for committing, or has been adjudicated a 159  
delinquent child for committing the sexually oriented offense is 160  
not more than four years older than the victim. 161

(C) "Child-victim oriented offense" means any of the 162

following violations or offenses committed by a person, 163  
regardless of the person's age, when the victim is under 164  
eighteen years of age and is not a child of the person who 165  
commits the violation: 166

(1) A violation of division (A) (1), (2), (3), or (5) of 167  
section 2905.01 of the Revised Code when the violation is not 168  
included in division (A) (7) of this section; 169

(2) A violation of division (A) of section 2905.02, or 170  
division (A) of section 2905.03, ~~or division (A) of section~~ 171  
~~2905.05~~ of the Revised Code; 172

(3) A violation of any former law of this state, any 173  
existing or former municipal ordinance or law of another state 174  
or the United States, any existing or former law applicable in a 175  
military court or in an Indian tribal court, or any existing or 176  
former law of any nation other than the United States that is or 177  
was substantially equivalent to any offense listed in division 178  
(C) (1) or (2) of this section; 179

(4) Any attempt to commit, conspiracy to commit, or 180  
complicity in committing any offense listed in division (C) (1), 181  
(2), or (3) of this section. 182

(D) "Child-victim offender" means a person who is 183  
convicted of, pleads guilty to, has been convicted of, has 184  
pleaded guilty to, is adjudicated a delinquent child for 185  
committing, or has been adjudicated a delinquent child for 186  
committing any child-victim oriented offense. 187

(E) "Tier I sex offender/child-victim offender" means any 188  
of the following: 189

(1) A sex offender who is convicted of, pleads guilty to, 190  
has been convicted of, or has pleaded guilty to any of the 191

following sexually oriented offenses:	192
(a) A violation of section 2907.06, 2907.07, 2907.08,	193
2907.22, or 2907.32 of the Revised Code;	194
(b) A violation of section 2907.04 of the Revised Code	195
when the offender is less than four years older than the other	196
person with whom the offender engaged in sexual conduct, the	197
other person did not consent to the sexual conduct, and the	198
offender previously has not been convicted of or pleaded guilty	199
to a violation of section 2907.02, 2907.03, or 2907.04 of the	200
Revised Code or a violation of former section 2907.12 of the	201
Revised Code;	202
(c) A violation of division (A) (1), (2), (3), or (5) of	203
section 2907.05 of the Revised Code;	204
(d) A violation of division (A) (3) of section 2907.323 of	205
the Revised Code;	206
(e) A violation of division (A) (3) of section 2903.211, of	207
division (B) of section 2905.03, or of division <del>(B)</del> <u>(A)</u> of	208
section 2905.05 of the Revised Code;	209
(f) A violation of division (B) (4) of section 2907.09 of	210
the Revised Code if the sentencing court classifies the offender	211
as a tier I sex offender/child-victim offender relative to that	212
offense pursuant to division (D) of that section;	213
(g) A violation of any former law of this state, any	214
existing or former municipal ordinance or law of another state	215
or the United States, any existing or former law applicable in a	216
military court or in an Indian tribal court, or any existing or	217
former law of any nation other than the United States, that is	218
or was substantially equivalent to any offense listed in	219
division (E) (1) (a), (b), (c), (d), (e), or (f) of this section;	220

(h) Any attempt to commit, conspiracy to commit, or 221  
complicity in committing any offense listed in division (E) (1) 222  
(a), (b), (c), (d), (e), (f), or (g) of this section. 223

(2) A child-victim offender who is convicted of, pleads 224  
guilty to, has been convicted of, or has pleaded guilty to a 225  
child-victim oriented offense and who is not within either 226  
category of child-victim offender described in division (F) (2) 227  
or (G) (2) of this section. 228

(3) A sex offender who is adjudicated a delinquent child 229  
for committing or has been adjudicated a delinquent child for 230  
committing any sexually oriented offense and who a juvenile 231  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 232  
of the Revised Code, classifies a tier I sex offender/child- 233  
victim offender relative to the offense. 234

(4) A child-victim offender who is adjudicated a 235  
delinquent child for committing or has been adjudicated a 236  
delinquent child for committing any child-victim oriented 237  
offense and who a juvenile court, pursuant to section 2152.82, 238  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 239  
tier I sex offender/child-victim offender relative to the 240  
offense. 241

(F) "Tier II sex offender/child-victim offender" means any 242  
of the following: 243

(1) A sex offender who is convicted of, pleads guilty to, 244  
has been convicted of, or has pleaded guilty to any of the 245  
following sexually oriented offenses: 246

(a) A violation of section 2907.21, 2907.321, or 2907.322 247  
of the Revised Code; 248

(b) A violation of section 2907.04 of the Revised Code 249

when the offender is at least four years older than the other 250  
person with whom the offender engaged in sexual conduct, or when 251  
the offender is less than four years older than the other person 252  
with whom the offender engaged in sexual conduct and the 253  
offender previously has been convicted of or pleaded guilty to a 254  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 255  
Code or former section 2907.12 of the Revised Code; 256

(c) A violation of division (A) (4) of section 2907.05 or 257  
of division (A) (1) or (2) of section 2907.323 of the Revised 258  
Code; 259

(d) A violation of division (A) (1), (2), (3), or (5) of 260  
section 2905.01 of the Revised Code when the offense is 261  
committed with a sexual motivation; 262

(e) A violation of division (A) (4) of section 2905.01 of 263  
the Revised Code when the victim of the offense is eighteen 264  
years of age or older; 265

(f) A violation of division (B) of section 2905.02 or of 266  
division (B) (5) of section 2919.22 of the Revised Code; 267

(g) A violation of section 2905.32 of the Revised Code 268  
that is described in division (A) (11) (a) or (b) of this section; 269

(h) A violation of any former law of this state, any 270  
existing or former municipal ordinance or law of another state 271  
or the United States, any existing or former law applicable in a 272  
military court or in an Indian tribal court, or any existing or 273  
former law of any nation other than the United States that is or 274  
was substantially equivalent to any offense listed in division 275  
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 276

(i) Any attempt to commit, conspiracy to commit, or 277  
complicity in committing any offense listed in division (F) (1) 278

(a), (b), (c), (d), (e), (f), (g), or (h) of this section;	279
(j) Any sexually oriented offense that is committed after the sex offender previously has been convicted of, pleaded guilty to, or has been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier I sex offender/child-victim offender.	280 281 282 283 284 285
(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any child-victim oriented offense when the child-victim oriented offense is committed after the child-victim offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier I sex offender/child-victim offender.	286 287 288 289 290 291 292 293
(3) A sex offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any sexually oriented offense and who a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a tier II sex offender/child-victim offender relative to the offense.	294 295 296 297 298 299
(4) A child-victim offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any child-victim oriented offense and whom a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a tier II sex offender/child-victim offender relative to the current offense.	300 301 302 303 304 305 306
(5) A sex offender or child-victim offender who is not in	307

any category of tier II sex offender/child-victim offender set 308  
forth in division (F) (1), (2), (3), or (4) of this section, who 309  
prior to January 1, 2008, was adjudicated a delinquent child for 310  
committing a sexually oriented offense or child-victim oriented 311  
offense, and who prior to that date was determined to be a 312  
habitual sex offender or determined to be a habitual child- 313  
victim offender, unless either of the following applies: 314

(a) The sex offender or child-victim offender is 315  
reclassified pursuant to section 2950.031 or 2950.032 of the 316  
Revised Code as a tier I sex offender/child-victim offender or a 317  
tier III sex offender/child-victim offender relative to the 318  
offense. 319

(b) A juvenile court, pursuant to section 2152.82, 320  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the 321  
child a tier I sex offender/child-victim offender or a tier III 322  
sex offender/child-victim offender relative to the offense. 323

(G) "Tier III sex offender/child-victim offender" means 324  
any of the following: 325

(1) A sex offender who is convicted of, pleads guilty to, 326  
has been convicted of, or has pleaded guilty to any of the 327  
following sexually oriented offenses: 328

(a) A violation of section 2907.02 or 2907.03 of the 329  
Revised Code; 330

(b) A violation of division (B) of section 2907.05 of the 331  
Revised Code; 332

(c) A violation of section 2903.01, 2903.02, or 2903.11 of 333  
the Revised Code when the violation was committed with a sexual 334  
motivation; 335

(d) A violation of division (A) of section 2903.04 of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation;

(e) A violation of division (A)(4) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age;

(f) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;

(g) A violation of division (B) of section 2903.03 of the Revised Code;

(h) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (G)(1)(a), (b), (c), (d), (e), (f), or (g) of this section;

(i) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (G)(1)(a), (b), (c), (d), (e), (f), (g), or (h) of this section;

(j) Any sexually oriented offense that is committed after the sex offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier II sex offender/child-victim offender or a tier III sex offender/child-

victim offender. 365

(2) A child-victim offender who is convicted of, pleads 366  
guilty to, has been convicted of, or has pleaded guilty to any 367  
child-victim oriented offense when the child-victim oriented 368  
offense is committed after the child-victim offender previously 369  
has been convicted of, pleaded guilty to, or been adjudicated a 370  
delinquent child for committing any sexually oriented offense or 371  
child-victim oriented offense for which the offender was 372  
classified a tier II sex offender/child-victim offender or a 373  
tier III sex offender/child-victim offender. 374

(3) A sex offender who is adjudicated a delinquent child 375  
for committing or has been adjudicated a delinquent child for 376  
committing any sexually oriented offense and who a juvenile 377  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 378  
of the Revised Code, classifies a tier III sex offender/child- 379  
victim offender relative to the offense. 380

(4) A child-victim offender who is adjudicated a 381  
delinquent child for committing or has been adjudicated a 382  
delinquent child for committing any child-victim oriented 383  
offense and whom a juvenile court, pursuant to section 2152.82, 384  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 385  
tier III sex offender/child-victim offender relative to the 386  
current offense. 387

(5) A sex offender or child-victim offender who is not in 388  
any category of tier III sex offender/child-victim offender set 389  
forth in division (G) (1), (2), (3), or (4) of this section, who 390  
prior to January 1, 2008, was convicted of or pleaded guilty to 391  
a sexually oriented offense or child-victim oriented offense or 392  
was adjudicated a delinquent child for committing a sexually 393  
oriented offense or child-victim oriented offense and classified 394

a juvenile offender registrant, and who prior to that date was 395  
adjudicated a sexual predator or adjudicated a child-victim 396  
predator, unless either of the following applies: 397

(a) The sex offender or child-victim offender is 398  
reclassified pursuant to section 2950.031 or 2950.032 of the 399  
Revised Code as a tier I sex offender/child-victim offender or a 400  
tier II sex offender/child-victim offender relative to the 401  
offense. 402

(b) The sex offender or child-victim offender is a 403  
delinquent child, and a juvenile court, pursuant to section 404  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 405  
classifies the child a tier I sex offender/child-victim offender 406  
or a tier II sex offender/child-victim offender relative to the 407  
offense. 408

(6) A sex offender who is convicted of, pleads guilty to, 409  
was convicted of, or pleaded guilty to a sexually oriented 410  
offense, if the sexually oriented offense and the circumstances 411  
in which it was committed are such that division (F) of section 412  
2971.03 of the Revised Code automatically classifies the 413  
offender as a tier III sex offender/child-victim offender; 414

(7) A sex offender or child-victim offender who is 415  
convicted of, pleads guilty to, was convicted of, pleaded guilty 416  
to, is adjudicated a delinquent child for committing, or was 417  
adjudicated a delinquent child for committing a sexually 418  
oriented offense or child-victim offense in another state, in a 419  
federal court, military court, or Indian tribal court, or in a 420  
court in any nation other than the United States if both of the 421  
following apply: 422

(a) Under the law of the jurisdiction in which the 423

offender was convicted or pleaded guilty or the delinquent child 424  
was adjudicated, the offender or delinquent child is in a 425  
category substantially equivalent to a category of tier III sex 426  
offender/child-victim offender described in division (G) (1), 427  
(2), (3), (4), (5), or (6) of this section. 428

(b) Subsequent to the conviction, plea of guilty, or 429  
adjudication in the other jurisdiction, the offender or 430  
delinquent child resides, has temporary domicile, attends school 431  
or an institution of higher education, is employed, or intends 432  
to reside in this state in any manner and for any period of time 433  
that subjects the offender or delinquent child to a duty to 434  
register or provide notice of intent to reside under section 435  
2950.04 or 2950.041 of the Revised Code. 436

(H) "Confinement" includes, but is not limited to, a 437  
community residential sanction imposed pursuant to section 438  
2929.16 or 2929.26 of the Revised Code. 439

(I) "Prosecutor" has the same meaning as in section 440  
2935.01 of the Revised Code. 441

(J) "Supervised release" means a release of an offender 442  
from a prison term, a term of imprisonment, or another type of 443  
confinement that satisfies either of the following conditions: 444

(1) The release is on parole, a conditional pardon, under 445  
a community control sanction, under transitional control, or 446  
under a post-release control sanction, and it requires the 447  
person to report to or be supervised by a parole officer, 448  
probation officer, field officer, or another type of supervising 449  
officer. 450

(2) The release is any type of release that is not 451  
described in division (J) (1) of this section and that requires 452

the person to report to or be supervised by a probation officer, 453  
a parole officer, a field officer, or another type of 454  
supervising officer. 455

(K) "Sexually violent predator specification," "sexually 456  
violent predator," "sexually violent offense," "sexual 457  
motivation specification," "designated homicide, assault, or 458  
kidnapping offense," and "violent sex offense" have the same 459  
meanings as in section 2971.01 of the Revised Code. 460

(L) "Post-release control sanction" and "transitional 461  
control" have the same meanings as in section 2967.01 of the 462  
Revised Code. 463

(M) "Juvenile offender registrant" means a person who is 464  
adjudicated a delinquent child for committing on or after 465  
January 1, 2002, a sexually oriented offense or a child-victim 466  
oriented offense, who is fourteen years of age or older at the 467  
time of committing the offense, and who a juvenile court judge, 468  
pursuant to an order issued under section 2152.82, 2152.83, 469  
2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a 470  
juvenile offender registrant and specifies has a duty to comply 471  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 472  
Revised Code. "Juvenile offender registrant" includes a person 473  
who prior to January 1, 2008, was a "juvenile offender 474  
registrant" under the definition of the term in existence prior 475  
to January 1, 2008, and a person who prior to July 31, 2003, was 476  
a "juvenile sex offender registrant" under the former definition 477  
of that former term. 478

(N) "Public registry-qualified juvenile offender 479  
registrant" means a person who is adjudicated a delinquent child 480  
and on whom a juvenile court has imposed a serious youthful 481  
offender dispositional sentence under section 2152.13 of the 482

Revised Code before, on, or after January 1, 2008, and to whom 483  
all of the following apply: 484

(1) The person is adjudicated a delinquent child for 485  
committing, attempting to commit, conspiring to commit, or 486  
complicity in committing one of the following acts: 487

(a) A violation of section 2907.02 of the Revised Code, 488  
division (B) of section 2907.05 of the Revised Code, or section 489  
2907.03 of the Revised Code if the victim of the violation was 490  
less than twelve years of age; 491

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 492  
the Revised Code that was committed with a purpose to gratify 493  
the sexual needs or desires of the child; 494

(c) A violation of division (B) of section 2903.03 of the 495  
Revised Code. 496

(2) The person was fourteen, fifteen, sixteen, or 497  
seventeen years of age at the time of committing the act. 498

(3) A juvenile court judge, pursuant to an order issued 499  
under section 2152.86 of the Revised Code, classifies the person 500  
a juvenile offender registrant, specifies the person has a duty 501  
to comply with sections 2950.04, 2950.05, and 2950.06 of the 502  
Revised Code, and classifies the person a public registry- 503  
qualified juvenile offender registrant, and the classification 504  
of the person as a public registry-qualified juvenile offender 505  
registrant has not been terminated pursuant to division (D) of 506  
section 2152.86 of the Revised Code. 507

(O) "Secure facility" means any facility that is designed 508  
and operated to ensure that all of its entrances and exits are 509  
locked and under the exclusive control of its staff and to 510  
ensure that, because of that exclusive control, no person who is 511

institutionalized or confined in the facility may leave the 512  
facility without permission or supervision. 513

(P) "Out-of-state juvenile offender registrant" means a 514  
person who is adjudicated a delinquent child in a court in 515  
another state, in a federal court, military court, or Indian 516  
tribal court, or in a court in any nation other than the United 517  
States for committing a sexually oriented offense or a child- 518  
victim oriented offense, who on or after January 1, 2002, moves 519  
to and resides in this state or temporarily is domiciled in this 520  
state for more than five days, and who has a duty under section 521  
2950.04 or 2950.041 of the Revised Code to register in this 522  
state and the duty to otherwise comply with that applicable 523  
section and sections 2950.05 and 2950.06 of the Revised Code. 524  
"Out-of-state juvenile offender registrant" includes a person 525  
who prior to January 1, 2008, was an "out-of-state juvenile 526  
offender registrant" under the definition of the term in 527  
existence prior to January 1, 2008, and a person who prior to 528  
July 31, 2003, was an "out-of-state juvenile sex offender 529  
registrant" under the former definition of that former term. 530

(Q) "Juvenile court judge" includes a magistrate to whom 531  
the juvenile court judge confers duties pursuant to division (A) 532  
(15) of section 2151.23 of the Revised Code. 533

(R) "Adjudicated a delinquent child for committing a 534  
sexually oriented offense" includes a child who receives a 535  
serious youthful offender dispositional sentence under section 536  
2152.13 of the Revised Code for committing a sexually oriented 537  
offense. 538

(S) "School" and "school premises" have the same meanings 539  
as in section 2925.01 of the Revised Code. 540

(T) "Residential premises" means the building in which a residential unit is located and the grounds upon which that building stands, extending to the perimeter of the property. "Residential premises" includes any type of structure in which a residential unit is located, including, but not limited to, multi-unit buildings and mobile and manufactured homes.

(U) "Residential unit" means a dwelling unit for residential use and occupancy, and includes the structure or part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or two or more persons who maintain a common household. "Residential unit" does not include a halfway house or a community-based correctional facility.

(V) "Multi-unit building" means a building in which is located more than twelve residential units that have entry doors that open directly into the unit from a hallway that is shared with one or more other units. A residential unit is not considered located in a multi-unit building if the unit does not have an entry door that opens directly into the unit from a hallway that is shared with one or more other units or if the unit is in a building that is not a multi-unit building as described in this division.

(W) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(X) "Halfway house" and "community-based correctional facility" have the same meanings as in section 2929.01 of the Revised Code.

(Y) A person is in a "restricted offender category" if both of the following apply with respect to the person:

(1) The person has been convicted of, is convicted of, has  
pleaded guilty to, or pleads guilty to a sexually oriented  
offense where the victim was under the age of eighteen or a  
child-victim oriented offense.

(2) With respect to the offense described in division (Y)  
(1) of this section, one of the following applies:

(a) With respect to that offense, the person is a tier II  
sex offender/child-victim offender or is a tier III sex  
offender/child-victim offender who is subject to the duties  
imposed by sections 2950.04, 2950.041, 2950.05, and 2950.06 of  
the Revised Code.

(b) With respect to that offense if it was committed prior  
to January 1, 2008, under the version of Chapter 2950. of the  
Revised Code in effect prior to January 1, 2008, the person was  
adjudicated a sexual predator, was adjudicated a child-victim  
predator, was classified a habitual sex offender, or was  
classified a habitual child-victim sex offender.

(Z) "Adjudicated a sexual predator," "adjudicated a child-  
victim predator," "habitual sex offender," and "habitual child-  
victim offender" have the meanings of those terms that applied  
to them under Chapter 2950. of the Revised Code prior to January  
1, 2008.

**Section 2.** That existing sections 2905.05 and 2950.01 of  
the Revised Code are hereby repealed.